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Attorney Docket Number 05569,0004.DVUS06

control number. Substitute for form 1449A/PTO Complete if Known **Application Number** 09/416.902 INFORMATION DISCLOSURE STATEMENT BY APPLICANT Filing Date October 13, 1999 First Named Inventor John M. McCafferty 1639 Group Art Unit (use as many sheets as necessary) Examiner Name Amber D. Steele

Sheet

of 11

		U.S. PATE	NT DOCUME	NTS	
Examiner Initials*	Cite No. 1	Document Number Number – Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	A1	4,704,692	11/03/1987	Ladner	
	A2	5,258,289	11/02/1993	Davis, et al.	
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	A21	7,063,943	06/20/2006	McCafferty, et al.	
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Examiner Initials*	Cite No. ¹	Document Number Number – Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	

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Sub	stitute fo	or form 1449B.	PTO	Compl	Complete if Known		
l in	FORM	IATION DI	SCLOSURE	Application Number	09/416,902		
			PPLICANT	Filing Date	October 13, 1999		
	STATEMENT DI MILEEMAT			First Named Inventor	John McCafferty, et al.		
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(use	(use as many sheets as necessary)			Examiner Name	Amber D. Steele		
Sheet	Sheet 2 of 11			Attorney Docket Numb	er 05569.0004.DVUS06		

	FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. 1	Foreign Patent Document Country Code ³ –Number ⁴ – Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶		
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	B2	GB 91/25579.4	02/12/1991	Cambridge Antibody Technology Ltd.				
	В3	GB 91/25582.8	02/12/1991	Cambridge Antibody Technology Ltd.				
	B4	WO 92-01047	01/23/1992	Cambridge Antibody Technology Ltd.				

	(OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher city and/or country where published	T ²
	C1	U.S. Applc. No. 08/484,893 Advisory Action dated November 3, 1997	
	C2	U.S. Applc. No. 08/484,893 Final office action dated March 28, 1997	
	C3	U.S. Applc. No. 08/484,893 Non-final office action dated July 20, 1999	
	C4	U.S. Applc. No. 08/484,893 Non-Final office action dated June 17, 1996	
	C5	U.S. Applc. No. 08/484,893 Non-final office action dated June 9, 1998	
	C6	U.S. Applc. No. 08/484,893 Notice of Allowance dated March 29, 2000	
	C7	U.S. Applc. No. 08/484,893 Restriction Requirement dated December 7, 1998	
	C8	U.S. Applc. No. 09/196,522 Examiner's Amendment dated January 28, 2004	
	C9	U.S. Applc. No. 09/196,522 Restriction Requirement dated November 27, 1999	
	C10	U.S. Applc. No. 09/196,522 Non-final office action dated April 20, 2000	
	C11	U.S. Applc. No. 09/196,522 Non-final office action dated January 3, 2001	
	C12	U.S. Applc. No. 09/196,522 Notice of Allowance dated May 3, 2004	
	C13	U.S. Applc. No. 09/196,586 Advisory Action dated December 5, 2008	
	C14	U.S. Applc. No. 09/196,586 Advisory Action dated May 4, 2007	
	C15	U.S. Applc. No. 09/196,586 Final office action dated September 22, 2006	
	C16	U.S. Applc. No. 09/196,586 Final office action dated April 17, 2001	
	C17	U.S. Applc. No. 09/196,586 Final office action dated December 22, 2004	
	C18	U.S. Applc. No. 09/196,586 Final office action dated September 15, 2008	
	C19	U.S. Applc. No. 09/196,586 Non final office action dated April 10, 2000	

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			PPLICANT	Filing Date	October 13, 1999
	STATEMENT DI ATTEICANI			First Named Inventor	John McCafferty, et al.
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Sheet	Sheet 3 of 11			Attorney Docket Number	05569.0004.DVUS06

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C23	U.S. Applc. No. 09/196,586 Non-final office action dated May 19, 2004	
C24	U.S. Applc. No. 09/196,586 Restriction Requirement dated December 21, 1999	
C25	U.S. Applc. No. 09/196,673 Advisory Action dated November 6, 2002	
C26	U.S. Applc. No. 09/196,673 Advisory Action dated March 24, 2003	
C27	U.S. Applc. No. 09/196,673 Final office action dated December 22, 2004	
C28	U.S. Applc. No. 09/196,673 Final office action dated May 14, 2002	
C29	U.S. Applc. No. 09/196,673 Non-final office action dated April 11, 2000	
C30	U.S. Applc. No. 09/196,673 Non-final office action dated January 18, 2001	
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C40	U.S. Applc. No. 09/417,478 Final office action dated July 5, 2006	
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C46	U.S. Applc. No. 09/417,479 Restriction Requirement dated June 26, 2000	
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C48	U.S. Applc. No. 09/706,507 Restriction Requirement dated May 21, 2001	
C49	U.S. Applc. No. 09/726,219 Non-final office action dated August 12, 2003	
C50	U.S. Applc. No. 09/726,219 Notice of Allowance dated February 25, 2004	
C51	U.S. Applc. No. 09/726,219 Restriction Requirement dated March 12, 2003	
C52	U.S. Applc. No. 09/971,857 Advisory Action dated August 15, 1996	
C53	U.S. Applc. No. 09/971,857 Examiner's Interview Summary Record dated	
	December 13, 1996	
C54	U.S. Applc. No. 09/971,857 Examiner's Interview summary Record dated April 24,	1
	1997	

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			APPLICANT	Filing Date	October 13, 1999		
	STATEMENT DI MILEEMAT			First Named Inventor	John McCafferty, et al.		
ć				Group Art Unit	1639		
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Sheet	4	of	11	Attorney Docket Number	er 05569.0004.DVUS06		

C55	U.S. Applc. No. 09/971,857 Final office action dated April 23, 1996	
C56	U.S. Applc. No. 09/971,857 Non-final office action dated June 30, 1995	
C57	U.S. Applc. No. 09/971,857 Notice of Allowance dated July 23, 1997	
C58	U.S. Applc. No. 09/971,857 Response to 312 Amendment dated April 20, 1999	
C59	U.S. Applc. No. 10/803,622 Examiner's Interview Summary dated March 20, 2008	
C60	U.S. Applc. No. 10/803,622 Advisory Action dated July 31, 2007	
C61	U.S. Applc. No. 10/803,622 Final office action dated April 10, 2007	
C62	U.S. Applc. No. 10/803,622 Final office action dated February 17, 2009	
C63	U.S. Applc. No. 10/803,622 Non-final office action dated July 3, 2008	
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C65	U.S. Applc. No. 10/803,622 Non-final office action dated October 2, 2007	
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(use	(use as many sheets as necessary)		Examiner Name	Amber D. Steele	
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l in				Application Number	09/416,902		
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			First Named Inventor	John McCafferty, et al.			
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INFORMATION DISCLOSURE	Application Number	09/416,902
STATEMENT BY APPLICANT	Filing Date	October 13, 1999
	First Named Inventor	John McCafferty, et al.
(use as many sheets as necessary)	Group Art Unit	1639
(use as many sneets as necessary)	Examiner Name	Amber D. Steele
Sheet 8 of 11	Attorney Docket Number	05569.0004.DVUS06

C127	Nossal, G.V.J., "Molecular and Cellular Aspects of Immunologic Tolerance," Eur. J. Biochem., Vol. 202, pp. 729-737 (1991)	
C128	Derson, et al., "Generation of Diverse High-Affinity Human Monoclonal Antibodies by Repertoire Cloning," Proc. Natl. Acad. Sci., Vol. 88, pp. 2432-2436 (1991)	
C129	Portolano, S., et al., "A Human Fab Fragment Specific For Thyroid Peroxidase Generated By Cloning Thyroid Lymphocyte-Derived Immunoglobulin Genes in a Bacteriophage Lambda Library", Biochemical and Biphysical Research Communications, Vol. 179, No. 1, pp. 372-377 (1991)	
C130	Roitt, et al., Immunology, Second Edition, 1989, Ivan Roitt, et al., Gower Publishing, New York, p. 51 (1989)	
C131	Ruf., et al., "Various Expressions of a Unique Anti-Human Thymoglobulin Antibody Repertoire in Normal State and Autoimmune Disease, "Blood, Vol. 78, pp. 1096- 1104 (1991)	
C132	Smith, et al., "Phage Display," Chem. Rev., Vol. 97, pp. 391-410 (1997)	
C133	Svenson, et al., "IgG Autoantibodies Against Interleukin 1α in Sera of Normal Individuals," Scand. J. Immunol., Vol. 29,, pp. 489-492 (1989)	
C134	Tomlinson, et al., "The Repertoire of Human Germline Vh Segments (Sequences Reveals about Fifty Groups of VH Segments] with Different Hypervariable Loops," J. Mol. Biol., Vol. 227, pp. 776-798 (1992)	
C135	Ura, et al., "Studies on Circulating Antibody Against Carcinoembryonic Antigen (CEA) and CEA-like Antigen in Cancer Patients," Cancer Letters, Vol. 25, pp. 283-295 (1985).	
C136	Waterhouse, et al., "Combinatorial Infection and in Vivo Recombination: A strategy for Making Large Phage Antibody Repertoires," Nucl. Acids Res., Vol. 21, pp. 2265-2266 (1993)	
C137	Weidanz, J.A., et al., "Display of Functional Alphabets Single-Chain T-Cell Receptor Molecules on the Surface of Bacteriophage," J. Immunol. Methods, Vol. 221, (1-2), pp. 59-76, ISSN 0022-1759 (1998) Abstract	
C138	Wilson and Stanfield, "Antibody-Antigen Interactions: New Structures and New Conformational Changes," Curr. Opin. Structural Biol., Vol. 4, pp. 857-867 (1994)	
C139	Winter, et al., "Making Antibodies by Phage Display Technology," Annu. Rev. Immunol., Vol. 12, pp. 433-455 (1994)	
C140	Promega Technical Bulletin, printed January 11, 2008, revised December 2006, pGEM-3ZF(+) Vector, 9 pages	
C141	Promega Technical Bulletin, printed January 11, 2008, revised December 2006, pGEM-3ZF(-) Vector, 9 pages	

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C142	Stratagene Instruction Manual, printed January 11,m 2008, revised 2003,	
	pBluescript II Phagemic Vectors, 37 pages	
C143	First Amended Complaint, Filed March 8, 2002 - Morphosys AG v. Cambridge Antibody Technology Limited, Case No. 1:00-CV-00146 (24 pages) (U.S. District Court, District of Columbia/Signed by John S. Skilton, Attorney for Plaintiff).)	
C144	Cambridge Antibody Technology Limited's Answer to First Amended Complaint, Filed March 22, 2002 - Morphosys AG v. Cambridge Antibody Technology Limited, Case No. 1:00-CV-00146 (30 pages) (U.S. District Court, District of Columbia)(signed by Brian H. Corcoran, Attorney for Defendant).	
C145	Il'ichev, A.A., et al., "M13 Filamentous Bacteriophage in Protein Engineering", Molekulyarnaya Biologiya, Vol. 24, No. 2, pp. 530-535, (March-April 1990).	
C146	Iliychev, A.A., et al., "M13 Filamentous Bactiophage for Protein Engineering", Molekulyarmaya Biologiya, Vol. 24, No. 2, pp. 530-535, (March-April 1990). (In Russian with Translated Abstract)	
C147	Redacted Agreement Between Medical Research Council and Cambridge Antibody Technology Limited and Cambridge Antibody Technology Group plc, made 01 January 1997	
C148	Deposition Transcript of David W. Clough, taken April 19, 2002 (Morphosys AG v. Cambridge Antibody Technology Limited, U.S. District Court, Northern District of Illinois, Eastern Division).	
C149	E.I. du Pont de Nemours v. Cetus Corp., 19 USPQ2d 1174, (DC N.Cal. 1990).	
C150	OddzOn Products Inc. v. Just Toys Inc., 43 USPQ2d 1641(CAFC 1997).	
C151	Deposition Transcript of George P. Smith, Ph.D., taken 14 May 2002, Morphosys AG v. Cambridge Antibody Technology Limited, Case No. 1:00-CV-00146 (30 pages) (U.S. District Court, District of Columbia.)	
C152	Deposition Transcript of Dr. David Chiswell, taken 29 April 2002; Morphosys AG v. Cambridge Antibody Technology Limited, Case No. 1:00-CV-00146 (30 pages) (U.S. District Court, District of Columbia.)	
C153	Deposition Transcript of Dr. Gregory Paul Winter, taken April 30, 2002; Morphosys AG v. Cambridge Antibody Technology Limited, Case No. 1:00-CV-00146 (30 pages) (U.S. District Court, District of Columbia.)	
C154	Vol. I - Deposition Transcript of Sean Malcolm Walton, taken 01 May 2002, Morphosys AG v. Cambridge Antibody Technology Limited, Case No. 1:00-CV-00146 (30 pages) (U.S. District Court, District of Columbia.)	
C155	Vol. II - Deposition Transcript of Sean Malcolm Walton, taken 02 May 2002, Morphosys AG v. Cambridge Antibody Technology Limited, Case No. 1:00-CV-00146 (30 pages) (U.S. District Court, District of Columbia.)	
C156	Chiswell memo, dated 30 July 1990, transmitting a copy of the Collaborative Agreement between Cambridge Antibody Technology and The Medical Research Council, dated July 27, 1995.	
C157	Declaration of George P. Smith, Ph.D., Under 37 C.F.R. § 1.132, executed 30 June 1995 (submitted during the prosecution of U.S. Application No. 08/322,352).	

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C450 Depleration of Prior V. Voy. Bh.D. avanuted 29 June 1009, (submitted during the

C158	8 Declaration of Brian K. Kay, Ph.D., executed 28 June 1998, (submitted during the prosecution of European Appln. No. 91913039.3)	
C159		
1 10.00	1989, Dept. of Health & Human Services.	
C160	Smith Grant Application, entitled: "Filamentous Phage Physiology", dated November 1, 1988	
C16*	C161 Administration Agreement between Cambridge Antibody Technology Ltd. and Medical Research Council, dated 01 August 1991 (Redacted).	
C162	Mewburn Ellis) regarding the Smith grant application.	
C163	Kay regarding the Smith grant application	
C164	Technology Limited) regarding the Smith grant application	
C165	Panner (of Academic Press) dated June 10, 1996.	
C166	Academic Press, Inc. (1996), pp. xvii-xix.	
C167 Northern Telecom Inc. v. Datapoint Corp., 15 USPQ 1321., (CAFC 1990). Letter of Dr. Smith Re: NIH grant proposals, Dated June 27, 1997		
C168	Barbas and Lerner "Combinatorial Immunoglobulin Libraries on the surface of phage (Phabs): rapid selection of anti-specific fabs." Methods: a companion to methods in Enzymology Vol. 2 (2): 119-124 (1991).	
C169	Document D91 in Appeal No. T0639/02-334: Better et al. (1988). Science 240, 1041-1043	
C170	 Document D92 in Appeal No. T0639/02-334: Sambrook & Russell (2001). Molecular cloning: a laboratory manual 3rd Edition, Cold Spring Harbor Press; particular pages 18.115 to 18.122 "Filamentous phage display" 	
C17	Document D17: Vieira and Messing (1987), Methods Enzymol. 153, 3-11	
C172	phage: methodology for displaying antibody (Fab) heavy and light chains," Nucleic Acids Research, Vol 19, No. 15 (1991), pages 4133-4137.	
C173	al. "Immunogenicity and epitope mapping of foreign sequences via genetically engineered filamentous phage", J. Bio. Chem. 263: 4318-4322 (1988)	
C174	"Affymax priority document", entitled "Recombinant Library Screening Methods", priority document filed 1 May 1990 for EP-A-0 527 839 (Article 54(3) EPC)	
C175	Complaint filed 4/23/99	
C176		
C177	Defendant Cambridge Antibody Technology, Limited's Motion to Dismiss plaintiff MorPhosys Ag's Complaint filed 06/8/99	

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PTO/SB/08B (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

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	C178	Response of Plaintiff MorphoSys Ag to Cambridge Antibody Technology Ltd's First Set of Interrogatories and Request for Production of Documents and Things filed 10/18/99	
\vdash	C179	Plaintiff's Supplemental Answer to Interrogatory No. 2	\vdash
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	C180	Response of Plaintiff-MorphoSys AG to Cambridge Antibody Technology Ltd.'s First Set of Interrogatories and Request for Production of Documents and Things filed 3/27/00	
	C181	Response of Plaintiff MorphoSys AG to Cambridge Antibody Technology Ltd.'s Second set of Interrogatories filed 7/3/002	
	C182	Response of MorphoSys AG to Cambridge Antibody Technology's Third Set of Interrogatories filed 8/14/007	
	C183	Declaration of Edward S. Golub, Ph.D. in Support of Morpho Sys Motion for Partial Summary Judgment of Noninfringement filed 9/1/00	
	C184	Edward S. Golub, Ph.D. Curriculum Vitae	
	C185	Expert Report of Edward S. Golub, Ph.D. dated 6/00 (with Exhibit 1) E. S. Golub Curriculum Vitae-Exhibit 2 E.S. Golub Validity Report and Exhibit 3 Declaration of E.S. Golub regarding Immunological Concepts	
	C186	Rebuttal Expert Report of Edward S. Golub, Ph.D.	
	C187	Reply of Edward S. Golub, Ph.D. to Rebuttal Expert Reports of Edward P. Cohen, M.D. and Ronald II, Jackson, Ph.D. dated 08/01/00	
	C188	Declaration of Carlos F. Barbas III, Ph.D. in Support of MorphoSys Motion for Partial Summary Judgment of Noninfringement filed 9/1/00	
	C189	Carlos F. Barbas III, Ph.D. Curriculum Vitae	

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